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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
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10 TERRIS R. JONES, SR.,

11 Plaintiff,

12 v.

13 LAS VEGAS VALLEY WATER
14 DISTRICT, *et al.*,

15 Defendants.
16

Case No. 2:11-CV-00435-KJD -PAL

ORDER

17 Before the Court is Plaintiff Terris R. Jones' Motion for Summary Judgment After the Close
18 of Discovery (#32). Defendants Las Vegas Valley Water District, Pat Mulroy, Patricia Maxwell,
19 Alan Schmidt, Juan Sanjurjo, Richard Tritley, and Richard Fox ("Defendants") have filed an
20 opposition (#34). Plaintiff did not file a response.

21 Also before the Court is Plaintiff's Motion for Leave to Amend His Motion for Summary
22 Judgment Order (#35). Defendants filed an opposition (#37).

23 Also before the Court is Defendants' Motion for Summary Judgment (#36). Plaintiff has not
24 responded to this Motion.

25 Also before the Court are Plaintiff's Motions for Communication With the Court (#38, 41).
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1 I. Plaintiff's Motion for Summary Judgment

2 Plaintiff is proceeding *pro se*. Courts must liberally construe the pleadings of *pro se* parties.
 3 See United States v. Etinger, 902 F.2d 1383, 1385 (9th Cir. 1990). “[*P*]ro se litigants in the
 4 ordinary civil case should not be treated more favorably than parties with attorneys of record.”
 5 Jacobsen v. Filler, 790 F.2d 1362, 1364 (9th Cir.1986). *Pro se* litigants must supply a minimum
 6 factual basis for the claims they assert against defendants. Brazil v. U.S. Dept. of Navy, 66 F.3d 193,
 7 199 (9th Cir. 1995).

8 Plaintiff's Motion fails to comply with even the most generous readings of Fed. R. Civ. P. 56
 9 and Local Rules 7-2(a) 56-1. The Motion is one paragraph long and is devoid of any argument, facts,
 10 or other information that would supply a basis for granting summary judgment. The federal and local
 11 rules require Plaintiff to file points and authorities in support of his Motion and a statement of
 12 undisputed facts showing that there is no dispute of fact and that he is entitled to summary judgment.
 13 Plaintiff's Motion is defective in both form and substance. Accordingly, the Motion is denied.

14 II. Motion for Leave to Amend Motion for Summary Judgment

15 Shortly after Plaintiff received Defendants' opposition (#34) pointing out the deficiencies in
 16 his Motion for Summary Judgment, Plaintiff requested leave to amend his Motion (#35). Parties are
 17 not required to seek leave to amend timely motions for summary judgment. Fed. R. Civ. P. 56(b).
 18 Because Plaintiff is a *pro se* litigant, the Court will allow Plaintiff to file a motion for summary
 19 judgment on or before June 6, 2012. If Plaintiff decides to file a motion for summary judgment, it
 20 must comply in every respect with federal and local rules.

21 III. Defendants' Motion for Summary Judgment

22 Plaintiff failed to file an opposition to Defendants' Motion for Summary Judgment. On
 23 October 25, 2011 Plaintiff was provided with notice (#33) of the significance of summary judgment
 24 pursuant to Klinge v. Eikenberry and Rand v. Rowland. Local Rule 7-2 provides that failure to
 25 provide points and authorities in opposition to a motion constitutes consent to the granting of the
 26 motion. However, because Plaintiff is a *pro se* litigant, the Court will permit Plaintiff to file a

1 response to Defendants' Motion on or before June 6, 2012. If Plaintiff fails to respond, the Court
2 will grant Defendants' Motion.

3 III. Motions for Communication With the Court

4 Plaintiff's Motions for Communication With the Court request rulings on his pending
5 motions. Accordingly, they are now moot.

6 III. Conclusion

7 **IT IS HEREBY ORDERED THAT** Plaintiff's Motion for Summary Judgment After the
8 Close of Discovery (#32) is **DENIED**.

9 **IT IS FURTHER ORDERED THAT** Plaintiff's Motion for Leave to Amend His Motion
10 for Summary Judgment Order(#35) is **GRANTED**.

11 **IT IS FURTHER ORDERED THAT** Plaintiff's Motions for Communication With the
12 Court (#38, 41) are **DENIED** as moot.

13 **IT IS FURTHER ORDERED THAT** Plaintiff may file a motion for summary judgment on
14 or before June 6, 2012. Any motion filed must comply in every respect with federal and local rules.

15 **IT IS FURTHER ORDERED THAT** Plaintiff file any opposition to Defendants' Motion
16 for Summary Judgment on or before June 6, 2012. Failure to file an opposition will result in granting
17 of the Motion pursuant to Local Rule 7-2.

18 DATED this 24th day of May 2012.

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22 Kent J. Dawson
23 United States District Judge
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